

Campbell, Lameria A

From: Bonilla, Emily (Commissioner)
Sent: Monday, May 10, 2021 5:10 PM
To: Campbell, Lameria A
Subject: Fw: ASPCA Comments on Retail Sales Proposals on 5/11 Agenda Workshop
Attachments: Orange County Retail Sales of Dogs and Cats Proposal ASPCA Comments 05 07 2021.pdf; FLORIDA'S PUPPY MILL PIPELINE-TRACING THE SOURCE OF PET STORE PUPPIES-04132021.pdf; MYTH vs FACT Orange County Puppy Mills.pdf

Importance: High

Please print a copy for me and the others. Thanks.

Your Commissioner,
Emily Bonilla

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Emily Bonilla
Orange County Commissioner
Orange County – District 5
201 S. Rosalind Avenue, Orlando, FL 32802
Office: 407-836-7350

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From: Jennifer Hobgood <jennifer.hobgood@aspca.org>
Sent: Friday, May 7, 2021 12:16 PM
To: Bonilla, Emily (Commissioner)
Cc: Campbell, Lameria A
Subject: ASPCA Comments on Retail Sales Proposals on 5/11 Agenda Workshop

Greetings Commissioner Bonilla:

Thank you for meeting with us regarding this issue and for being a champion for animal welfare during recent hearings regarding the sale of cruelly bred puppies in retail stores.

ASPCA has worked across the country to support the passage of effective state and local laws aimed at shutting down the puppy mill pipeline that supplies pet stores with inhumanely bred puppies. We share the County's concerns about the retail sale of dogs and cats, and **we encourage the County to adopt a model that clearly prohibits the retail sale of dogs and cats and does not contain a provision to grandfather existing stores. Of the two proposals under consideration by the Board, ASPCA supports the proposal to prohibit the retail sale of dogs and cats with an amortization period of no more than six months to one year. The ASPCA opposes the proposal that would grandfather the County's existing puppy-selling retail stores.** A grandfather provision would have no impact on the current puppy mill pipeline that imports cruelly bred dogs from commercial dog breeding operations into Orange County for sale in certain stores.

Dogs in [commercial breeding facilities](#) spend most of their lives in [cramped cages](#), where they are made to produce litter after litter and suffer from [inadequate care](#). A [pipeline of middlemen](#) ships puppies from [out-of-state puppy mills](#) to Florida, where they are sold on to an unsuspecting public. Responsible breeders do not sell their puppies or kittens to pet stores for resale. By [ending the sale of dogs in stores](#), the Board can shut down the puppy mill pipeline into Orange County. Pet businesses in Florida that do not sell dogs (approximately 1,110) far outnumber pet stores that do (approximately 60), demonstrating that stores do not need to sell dogs to thrive.

The ASPCA strongly recommends that any law that addresses pet store sales strictly prohibit all *retail sales* of dogs and cats. This model permits pet stores to partner with shelters and rescues to provide space in their stores to display adoptable animals. Under this model, ownership remains with the partnering non-profit or governmental organization. This is the model that many retail pet stores currently employ to great success and is the only model the ASPCA supports. It is the most effective way to prevent puppy mill cruelty and safeguard public health and consumers.

For this reason, ASPCA suggests the Board vote to proceed with an ordinance that prohibits the retail sale of dogs and cats, does not grandfather existing stores, and includes the following important amendments:

- The word "adopt" should be removed from the definition of "retail sale" [§ (a)7]. As is, the section on adoptions conflicts with the ban on retail sales. The simplest way to address this conflict is to remove the word "adopt" from the definition of retail sale.
- The portion of the definition of retail sale in the first parentheses should also be changed for clarity. Instead of "takes place," the language should read "is exchanged." Thus, the definition should read: "Retail sale shall mean to sell (whether or not consideration for the animal, and/or animal services is exchanged at the same time and/or location), offer for sale, auction, barter, display for sale, rehome, exchange (for compensation or otherwise), give away, trade, deliver, lease, rent, include as part of package deal, advertise to do any of the aforementioned, or otherwise dispose of dogs and/or cats to a person/s in a pet store or in association with a pet store."
- It is not entirely clear what type of arrangement the provision allowing pet stores to collect adoption fees on behalf of rescues and shelters is intended to address [§ (c)2]. Pet stores generally do not collect adoption fees on behalf of shelters or rescue groups, and this type of provision could blur the line between adoptions and sales. We recommend that this subsection (c)(2) be removed.
- In subsection (d)(4) line 108, the phrase "grandfathered pet stores" should be amended to read "stores during the amortization period." This version of the ordinance does not contain a grandfather provision and should be amended accordingly.

As we have seen first-hand, pet dealers will exploit poorly crafted language to continue selling puppy mill dogs. Orange County should adopt an ordinance that clearly and fully prohibits the continued sale of dogs and cats in pet stores. I have enclosed additional information including a report that traces the source of pet store puppies in Florida, including Orange County. Again, we appreciate your strong support for unequivocally prohibiting the retail sale of puppies in Orange County. Please contact me at jennifer.hobgood@aspca.org or (850) 445-5245 if you have questions or we can be of further assistance.

Respectfully,

Jen Hobgood, Ph.D.

Senior Director of State Legislation, Southern Division

ASPCA®

The American Society for the Prevention of Cruelty to Animals®

Tallahassee, FL

850.445.5245



Government
Relations

May 7, 2021

Orange County Board of Commissioners
Mayor Jerry Demings
201 S Rosalind Ave
Orlando, FL 32801
<sent via email and USPS>

RE: Support for dog and cat retail sales prohibition ordinance with no grandfather provision

Dear Commissioners and Mayor Demings:

ASPCA has worked across the country to support the passage of effective state and local laws aimed at shutting down the puppy mill pipeline that supplies pet stores with inhumanely bred puppies. We share the County's concerns about the retail sale of dogs and cats, and we encourage the County to adopt a model that clearly prohibits the retail sale of dogs and cats and does not contain a provision to grandfather existing stores. Of the two proposals under consideration by the Board, ASPCA supports the proposal to prohibit the retail sale of dogs and cats with an amortization period of no more than six months to one year. The ASPCA opposes the proposal that would grandfather the County's existing puppy-selling retail stores. A grandfather provision would have no impact on the current puppy mill pipeline that imports cruelly bred dogs from commercial dog breeding operations into Orange County for sale in certain stores.

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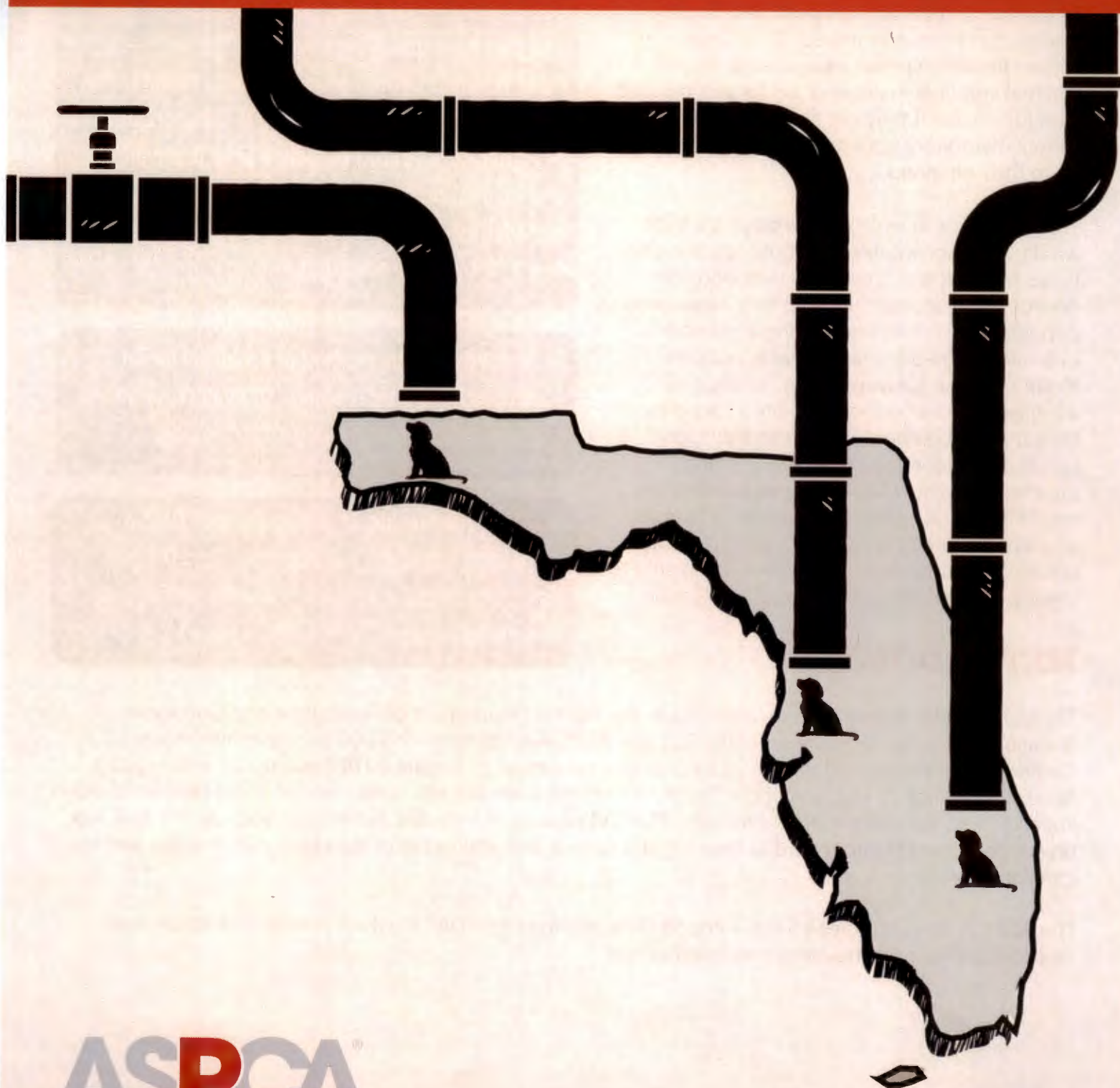
Sincerely,

Jennifer Hobgood, Ph.D.
Senior Director of State Legislation, Southern Region
Government Relations

¹ Iowa Department of Justice Office of the Attorney General Press Release. March 25, 2020. “Miller dismantles national ‘puppy laundering’ ring.” Accessed online August 20, 2020 at: <https://www.iowaattorneygeneral.gov/newsroom/puppy-mill-laundering-ring-rescue-settlement-california-chicago>

Spielman, Fran. “Alderman moves to close legal loophole in Chicago’s puppy mill ordinance.” Chicago Sun Times. May 20, 2020. Accessed online August 20, 2020 at: <https://chicago.suntimes.com/city-hall/2020/5/20/21265137/puppy-mills-ordinance-loophole-chicago-city-council>

FLORIDA'S PUPPY MILL PIPELINE: TRACING THE SOURCE OF PET STORE PUPPIES



INTRODUCTION

A pipeline of out-of-state commercial dog breeders and middlemen moves truckloads of puppies to be sold in Florida's pet stores.

Commercial breeders (a.k.a. puppy mills) profit by producing large numbers of puppies as quickly and cheaply as possible. Dogs are forced to live in cramped, filthy cages where diseases spread easily. Dogs receive minimal veterinary care and are forced to breed nonstop—even if they are sick, weak or have serious hereditary issues that could be passed on to their offspring.

The conditions in which these dogs are kept would be unacceptable to almost anyone. But these facilities aren't opening their doors to consumers. Instead, they ship their weeks-old puppies to pet stores or employ a network of brokers or middlemen to traffic puppies to pet stores in faraway states, where they are marketed as “responsibly bred” puppies from trusted breeders. The harsh transport conditions endured by these very young puppies can also invite the spread of disease, resulting in sick and dead puppies. This cruel system obscures transparency and traceability resulting in compromised puppies being sold to unsuspecting consumers throughout Florida.

METHODOLOGY

Through monthly public records requests to the Florida Department of Agriculture and Consumer Services/Public Records Division (FDACS), the ASPCA received over 5,000 puppy import records (i.e. Certificates of Veterinary Inspection, or CVIs) for the period of August 2019 through December 2020. According to Florida law, an Official Certificate of Veterinary Inspection is required to be filed for all dogs imported into the state intended for sale. The CVI document includes information such as the age, sex, breed, color, and health record of the dog, the names and addresses of the consignor or seller and the consignee or purchaser.

The ASPCA analyzed these 5,000+ import CVIs provided by FDACS, which details imports of over 12,000 puppies over the aforementioned period.¹

Federal law requires certain businesses that use animals—like zoos, research institutions and commercial pet breeders and brokers—to meet minimal animal care standards found in the Animal Welfare Act (AWA). The U.S. Department of Agriculture (USDA) is tasked with licensing and inspecting these facilities but this system is ineffective. Federal standards are notoriously low and enforcement nonexistent.

In response to this system of cruelty, Florida localities have enacted laws to keep cruelly bred puppies out of their pet stores.

In 2020, the Florida Attorney General filed a complaint against a pet store, Petland Orlando East/Waterford Lakes, for allegedly selling sick and dying puppies.

¹ The ASPCA's analysis is limited to only the documents supplied by the Florida Department of Agriculture and Consumer Services, Division of Records in response to the public record requests made in the time period. Further noting that the Division does not retain records for the intrastate transfer of puppies, meaning from an in-state source to another in-state entity, so those puppy transfers are not included in this data.

KEY FINDINGS

- **Over 80% of the puppies imported into Florida came from only 5 states: Missouri, Indiana, Ohio, Iowa, and Kansas.** These midwestern states have the highest concentration of commercial dog breeding facilities in the U.S.²



- **More than 6,500 (53%) of all puppies shipped into Florida were from commercial puppy brokers who function as “middlemen” in the puppy mill pipeline.** When looking at the top 25 suppliers, 86% of pet stores imported puppies from brokers and they were 4 times as likely to be sourced from a broker than a breeder.
- **Blue Ribbon Puppies in Indiana is the single largest supplier to Florida pet stores.** The Centers for Disease Control (CDC) linked this puppy broker to a major multi-drug resistant disease outbreak, caused by contact with puppies sold at pet stores. According to the CDC, Florida had the second highest number of campylobacter infections nationally.³ Blue Ribbon Puppies was a major supplier of Petland stores in Florida, and shipped to locations in Largo, Plantation, Pembroke Pines, Davie, Naples, Kendall, Fort Walton, Orlando, and Pensacola. Blue Ribbon Puppies also shipped puppies to Palm Beach Puppies and Nussy’s Puppies of Kendall.

FORT MYERS

Dozens of puppies heading to local Petland found in filthy conditions

Lee County Domestic Animal Services seized 24 puppies from a Petland store on College Parkway right as they were dropped off last week.

WINK Digital Media, February 23, 2018

² <https://aphis-efile.force.com/PublicSearchTool/s/>

³ <https://www.cdc.gov/campylobacter/outbreaks/puppies-9-17/map.html>

• **Two major suppliers to Florida are also commercial brokers: J.A.K.s Puppies in Iowa and Sobrad LLC d/b/a Pinnacle Pet in Missouri.** In 2019, J.A.K.s Puppies, along with another Iowa-based business, was sued by the Iowa Attorney General for illegally transferring hundreds of designer puppies through sham Iowa non-profit “rescues” to out-of-state pet shops. The lawsuit accused J.A.K.s Puppies of misleading consumers about the true source of the puppies and for abusing their Iowa non-profit status to circumvent state and local laws banning the sale of “puppy mill” dogs. In 2020, Iowa dissolved J.A.K.s Puppies’ phony rescue, Hobo K-9, and imposed a \$60,000 penalty against them.⁴ J.A.K.s Puppies remains federally licensed to broker puppies. J.A.K.s Puppies supplied to Bff Puppies, Breeders Pick, Chews A Puppy, Diamond & Doggies, Forever Love Puppies, Furbabies at the Mall, Glamorous Puppies, Love My Puppy, Nussy’s Puppies of Kendall, Pet Kingdom, Petland Bradenton, Petland South Orlando, Puppies and Rescues, Puppies Galore & More, Puppies To Go, Puppy Avenue, Puppies Secret and Vanity Pups.

J.A.K.s Puppies supplies puppies to over a quarter of Florida’s puppy-selling pet stores.

Florida attorney general says Petland store sold sick puppies as ‘high quality, healthy’

Miami Herald, May 20, 2020

A SAMPLING OF COMMERCIAL BREEDERS SUPPLYING FLORIDA PET STORES

Joyce Cairns (Kansas)

This facility has over 160 dogs with a history of USDA violations, including dogs with dental disease, heavily matted and dirty coats, jagged metal enclosures, screws protruding at dogs’ eye level, contaminated feeders, floors wet and soiled with feces (resulting in “soiled dog coats”), a dog with hair loss and exposed skin that was “thick and scaly,” a dog with green eye discharge, and a dog who was very thin with the spine “visually protruding.” Pictured below are photos of dogs in this facility at a USDA inspection in 2020. Cairns supplied puppies to Puppies Secret, Puppies To Go, Palm Beach Puppies, Gorgeous Puppies and Kittens, Puppies World of Miami, Imperial Puppies, Beautiful Puppies & Boutique and Nussy’s Puppies of Kendall.



⁴ <https://www.iowaattorneygeneral.gov/newsroom/puppy-mill-laundering-ring-rescue-settlement-california-chicago>

Lorilee Thomas/Puppies Extraordinaire (Kansas)

This operation has over 1,000 dogs and a history of USDA violations, including dogs with hair loss, dogs with matting, eye injuries, wires poking into kennels, excessively long toenails, and evidence of mice. Thomas supplied puppies to All About Puppies Largo, All About Puppies Tampa, Breeders Pick, Gorgeous Puppies and Kittens, Imperial Puppies, Lil Rascals Puppies, Petland Fort Walton, Petland Pensacola, Puppies To Go and The Puppy Store.

Justin and LaNae Jackson (Kansas)

This commercial operation has almost 600 dogs at their facility. The USDA has cited many violations, including both underweight and sick dogs, rusty kennels and broken floors, limited shade and shelter in housing, grime and rust in the feeders, dog with open ear wound, dog with swollen mass in between toes, and expired medication. Pictured below are dogs at this facility at a USDA inspection. This breeding operation supplied puppies to Sunshine Puppies, Puppies To Go, Nessy's Puppies of Kendall, Breeders Pick, Puppies Secret, Chews A Puppy, Beautiful Puppies & Boutique, Epic Puppies, Palm Beach Puppies, Glamorous Puppies, Puppies World of Miami, Gorgeous Puppies and Kittens, Quality Doggies, Imperial Puppies and Lil Rascals Puppies.



CONCLUSION

Insufficient laws, coupled with the USDA's neglectful enforcement of its bare-bones welfare regulations, have proven to enable massive animal suffering. The cruel puppy mill pipeline is bringing puppies into Florida at an alarming rate, where they are sold to an unsuspecting public. By ending the sale of dogs in stores, we can shut down the puppy mill pipeline into Florida.



Pet Stores Contained in Import Records

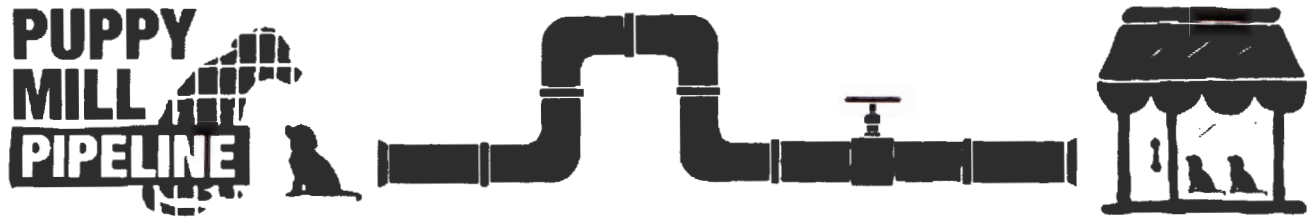
Florida Department of Agriculture and Consumer Services (FDACS) provided over 5,000 puppy import records for the period of August 2019 through December 2020 which included information for the following list of pet stores.

| | |
|-----------------------------------|------------------------|
| All About Puppies | Brandon |
| All About Puppies | Largo |
| Barb's Pet World | Trenton |
| Beautiful Puppies & Boutique | Coral Springs |
| Bff Puppies | Orange Park |
| Bill's Birds | Davie |
| Breeder's Pick Orlando Inc. | Orlando |
| Chews A Puppy | Ocoee |
| Diamond & Doggies | Lauderdale-by-the-Seas |
| Epic Puppies | Miami |
| Forever Love Puppies | Pembroke Pines |
| Furbabies at the Mall/Happy Tails | Lake Wales |
| Glamorous Puppies | Miami |
| Gorgeous Puppies and Kittens | Miami |
| Heavenly Puppies | Boca Raton |
| Honey Pets | Davie |
| Imperial Puppies | Miami |
| Just Puppies | Orlando |
| Lil Rascals | Fort Meyers |
| Love My Puppy | Boca Raton |
| Nessy's Puppies of Kendall | Miami |
| Palm Beach Puppies | Boca Raton |
| Pet Kingdom | Fort Meyers |
| Petland Bradenton | Bradenton |
| Petland Davie | Davie |
| Petland Fort Myers | Fort Meyers |
| Petland Naples | Naples |
| Petland Largo | Largo |
| Petland Orlando East | Orlando |
| Petland Orlando South | Orlando |
| Petland Pembroke Pines | Pembroke Pines |
| Petland Pensacola | Pensacola |

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Florida Department of Agriculture and Consumer Services (FDACS) provided over 5,000 puppy import records for the period of August 2019 through December 2020 which included information for the following list of pet stores.

| | |
|-------------------------------|-----------------|
| Petland Plantation | Plantation |
| Petland Sarasota | Sarasota |
| Petland Kendall | Miami |
| Petland Fort Walton | Fort Walton |
| Petland Jacksonville | Jacksonville |
| Puppies & Rescues | Pembroke Pines |
| Puppies Galore & More | Jacksonville |
| Puppies Plus | Parkland |
| Puppies Plus | Melbourne |
| Puppies Secret | Miami |
| Puppies Tampa | Tampa |
| Puppies To Go | Miami |
| Puppies World of Miami | Doral |
| Puppy Avenue | Jacksonville |
| Puppy Place USA | Miami |
| Quality Doggie's Inc. | Miami |
| Star Pups | West Palm Beach |
| Sunshine Puppies | Largo |
| Teacup, Puppies, and Boutique | Davie |
| The Puppy Store | Orlando |
| Tiny Paws Teacup & Toy Puppy | Miami |
| Vanity Pups | Fleming Island |
| Waggs to Riches | Boca Raton |
| Wet Kisses Pet Company | Lake Worth |



MYTH vs. FACT:

Shutting Down the Puppy Mill Pipeline in Orange County

The pet industry and its partners commonly resort to a few well-worn arguments in response to legislation that shuts down the puppy mill pipeline into Orange County and ends the sale of dogs and cats in pet stores.

Here's a reality check.

MYTH: "This ordinance essentially forces businesses to close."

FACT:

- Shutting down the puppy mill pipeline to pet stores in Orange County will enhance the quality of retail pet stores in Orange County and ensure that Orange County stores don't peddle cruelly-bred dogs to unsuspecting customers. The overwhelming number of pet stores nationally— both chains and "mom and pop shops"—do not sell puppies or kittens.
- Less than 2% of the nearly \$100B pet market is attributed to the sale of live animals. According to the pet industry's own reports, pet stores that do not sell pets are more profitable than those that do.
- Pet stores can sell food and other products and offer services such as grooming, boarding, and training and drive consumers to their stores by partnering with local shelters or rescues to host adoption events.
- **Businesses can adapt, but a provision that grandfathers the retail sale of dogs will provide an indefinite outlet for the cruel puppy mill pipeline into Orange County.**

MYTH: "This ordinance forces consumers to buy rescue pets," or "People won't be able to get the breed they want."

FACT:

- Nothing in this ordinance forces a family to rescue or adopt.
- Consumers in Orange County will still have the option to buy dogs directly from breeders.

MYTH: "Pet stores buy puppies from regulated sources."

FACT:

- Pet stores do buy puppies from regulated sources licensed by the United States Department of Agriculture (USDA). However, the standards of care at regulated facilities are extremely low and violators are almost never penalized.
- Dogs in breeding facilities spend their lives in small cages, with little access to proper vet care, exercise, and socialization.
- Simply put, the federal regulatory system has never provided any assurance to pet store shoppers or even to stores themselves that the dogs they buy were cared for humanely.

MYTH: "Pet store puppies are hand-picked by stores from breeders they know."

FACT:

- Documentation shows that Orange County's pet store puppies originate from states that have high numbers of commercial facilities (Missouri, Indiana, Ohio, Iowa and Kansas). Puppies are ordered from these suppliers and shipped to stores.
- Pet stores often use dog brokers or "middlemen" who buy puppies from breeders and resell them to retailers. In that model, both pet store and consumer alike are typically unaware of the source of the puppy.

MYTH: "Orange County can regulate grandfathered stores."

FACT:

- The proposed grandfathering requirements would be extremely difficult to enforce, even if the County is able to gain timely access to the records needed to enforce the provisions, which is unlikely.
- The proposal "deems the prohibition of the retail sale of dogs and cats in Orange County to be in the best interest of the health, safety, and welfare of its residents and citizens and the public at large." Grandfathering stores to operate indefinitely undermines this declaration by allowing bad actors to continue operating in perpetuity.

MYTH: "This ordinance will create a black market and drive people to purchase dogs on the Internet."

FACT:

- Despite what the industry argues, breeders who sell wholesale to pet stores or online to consumers are required to be federally licensed and are subject to the same minimal USDA regulations.
- Although there are problematic online sellers, the claim that we should not limit retail pet sales because online sellers might be bad too is a poor rationale for inaction locally.